

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at KNOXVILLE

CHIVOUS ROBINSON,)
)
)
Petitioner,)
)
)
v.) No.: 3:07-cv-401
) (VARLAN/GUYTON)
JOE EASTERLING, Warden,)
)
)
Respondent.)

JUDGMENT ORDER

In accordance with the accompanying Memorandum, the petitioner's motion to amend the petition is **GRANTED** and the respondent's motion to dismiss is **GRANTED**. The petition for the writ of habeas corpus is **DENIED** and this action is **DISMISSED**. Should the petitioner give timely notice of an appeal from this decision, such notice will be treated as an application for a certificate of appealability, which under the circumstances is hereby **DENIED**. The Court **CERTIFIES** that any appeal from this action would not be taken in good faith and would be totally frivolous. The Court further **DENIES** the petitioner leave to proceed *in forma pauperis* on appeal.

E N T E R :

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT

s/ Patricia L. McNutt
CLERK OF COURT